

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA

CRIMINAL NO. 6:13-747-BHH

v.

ORDER OF CONTINUANCE

BOBBY MOSLEY, SR.
J. MICHAEL CALDWELL
GATEWAY SYSTEMS, LLC
GATEWAY GAMING, LLC
FRONTIER SOFTWARE SYSTEMS,
LLC
FRONTIER GAMING, INC.

This matter is before the court on motion of the Assistant United States Attorney to continue the case against the above named defendants until the next term of court. The motion asserts that defense counsel consents to this motion, and that defense counsel has specifically advised his/her client that by consenting to this continuance, that Defendant has waived his/her rights to a speedy trial. Additional time is requested because the “ends of justice” are best served by a continuance.

Ordinarily, a defendant must be tried within seventy days of the unsealing of an indictment or initial appearance, whichever occurs later. There are, of course, a number of statutorily recognized exceptions to this rule which are found in 18 U.S.C. §§3161, *et seq.* In addition, there are more general reasons for continuing a case which require a weighing and balancing of the public's interest in a speedy trial with the defendant's interests and the government's interests. *U.S. v. Keith*, 42 F.3d. 234 (4th Cir. 1994); *Zedner v. U.S.*, 126 S.Ct. 1976 (2006).

This court finds, based upon the representations of the government, that it is unreasonable to expect this matter to be tried during the October 2014 term of court. The court further finds that the ends of justice served by the granting of these continuances outweigh the best interest of the public and the defendants in a speedy trial, and any period of delay occasioned by the granting of

these continuances are hereby excluded in computing the time within which the trial must begin pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, et seq.

It is, therefore,

IT IS ORDERED that this matter be continued until the **December 2014** term of court.

/s/Bruce Howe Hendricks
United States District Judge

September 25, 2014
Greenville, South Carolina